

1 DANIEL W. MAGUIRE, State Bar No. 120002  
 2 E-mail: [dmaguire@bwslaw.com](mailto:dmaguire@bwslaw.com)  
 3 KEIKO J. KOJIMA, State Bar No. 206595  
 4 E-mail: [kkojima@bwslaw.com](mailto:kkojima@bwslaw.com)  
 5 BURKE, WILLIAMS & SORENSEN, LLP  
 6 444 South Flower Street  
 7 Suite 2400  
 8 Los Angeles, California 90071-2953  
 9 (213) 236-0600; Fax (213) 236-2700

10 Attorneys for Plaintiff The Guardian Insurance  
 11 and Annuity Company, Inc.

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

15 THE GUARDIAN INSURANCE AND  
 16 ANNUITY COMPANY, INC., a  
 17 corporation,

18 Plaintiff,

19 vs.

20 CARLA M. UNTERMANN, an  
 21 individual; PHILLIP UNTERMANN,  
 22 an individual; BRENDA CAMILLI, an  
 23 individual; JOANNE L. GRIGGS, an  
 24 individual; LISA CAMILLI, an  
 25 individual; KATHLEEN BUTLER  
 26 CAMILLI, an individual; RICHARD L.  
 27 CAMILLI, an individual; DOLPH F.  
 28 CAMILLI, an individual; DIANNE R.  
 ABRAHAM, an individual; DOUGLAS  
 J. CAMILLI, an individual; BRUCE P.  
 CAMILLI, an individual; SPCA OF  
 SAN MATEO, CALIFORNIA;  
 DIANNE R. ABRAHAM, as Successor  
 Trustee of the Dolph L. Camilli Bypass  
 Trust; WILLIAM H. SHEA, JR., as  
 Successor Trustee of the Gerda M.  
 Camilli Survivor Trust; CHRIS  
 CAMILLI, an individual, and DOES 1  
 through 10, inclusive,

Defendants.

Case No: C 07 3557 CRB

**REQUEST FOR PLAINTIFF THE  
 GUARDIAN INSURANCE AND  
 ANNUITY COMPANY, INC.'S  
 TELEPHONIC APPEARANCE AT  
 SCHEDULING CONFERENCE;  
 [PROPOSED] ORDER**

Date: May 9, 2008

Time: 8:30 a.m.

Ctrm: "8" – 19<sup>th</sup> Floor

Judge: Hon. Charles R. Breyer

1 Plaintiff The Guardian Insurance and Annuity Company, Inc. ("The  
 2 Guardian") hereby requests that its counsel be permitted to appear telephonically at  
 3 the May 9, 2008 scheduling conference. This request is made because counsel for  
 4 The Guardian is located in Los Angeles, California. It would save Plaintiff  
 5 significant costs and fees, and its counsel's travel time, to allow The Guardian to  
 6 appear by telephone at the scheduling conference.

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8 Further, this case is almost resolved. The parties are now in the process of  
 9 preparing a stipulation for discharge, dismissal, and liquidation of the annuity  
 10 contracts which will resolve the issues in this lawsuit and dismiss this case with  
 11 prejudice. The parties anticipate that the stipulation will be submitted within the  
 12 next 60 days to accomplish the translation of the stipulation into German and to  
 13 obtain signatures from all 13 Defendants.

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15 Accordingly, counsel for The Guardian respectfully requests that she be  
 16 allowed to appear telephonically.

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DATED: May 5, 2008

DANIEL W. MAGUIRE  
 KEIKO J. KOJIMA  
 BURKE, WILLIAMS & SORENSEN, LLP

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By: /s/ Keiko J. Kojima  
 KEIKO J. KOJIMA  
 Attorneys for The Guardian Insurance  
 and Annuity Company, Inc

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LA #4850-4946-9186 v1

## **[PROPOSED] ORDER**

For good cause having been shown, The Guardian's request to appear telephonically at the May 9, 2008 scheduling conference is hereby granted.

DATED: \_\_\_\_\_

UNITED STATES DISTRICT COURT